

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Alfred L. Hawk

Case Number: 0980 2:09CR02034-EFS-1

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: December 17, 2010

Original Offense: Conspiracy, 18 U.S.C. § 371
 Taking, Transporting, Offering and Selling Eagles, 16 U.S.C. § 668(a)
 Transporting and Selling Wildlife with a Market Value in Excess of \$350,
 14 U.S.C. § 3372(a) & 3373(d)(1)(B)
 Taking, Transporting Offering and Selling Eagles, 16 U.S.C. § 668(a)

Original Sentence: Prison 6 months
 TSR - 24 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Timothy J. Ohms

Date Supervision Commenced: October 11, 2012

Defense Attorney: Diane E. Hehir

Date Supervision Expires: September 10, 2014

PETITIONING THE COURT

To issue a warrant and to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on November 20, December 10, 2012, March 13, and October 8, 2013.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
10	<p><u>Mandatory Condition # 2:</u> The defendant shall not commit another Federal, state, or local crime.</p> <p><u>Supporting Evidence:</u> Mr. Hawk has been charged with fourth degree assault and malicious mischief/ physical control at Wapato Municipal Court, cause number D00018473 on March 26, 2014.</p> <p>According to the Wapato police narrative report, an officer responded to a call in reference to a domestic violence disturbance. Upon the officer's arrival, he spoke with the victim, Mr. Hawk's girlfriend, who reported the defendant hit her on the face.</p>

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The victim reported she and Mr. Hawk got into a verbal argument while they were playing pool. She then told the defendant to leave and that is when he got angry. The victim reported Mr. Hawk broke her television in her room, broke a mirror on the wall, and broke some other belongings around the house.

The victim reported after Mr. Hawk broke her belongings, she tried to leave, but he threw her down, punched her in the face twice, causing her to bleed and swell. The victim also told the officer after Mr. Hawk punched her in the face, he grabbed her cell phone, took it outside and broke it, so she would not be able to call anyone. The victim stated that after Mr. Hawk left, she went next door to her mother's residence and called the police.

According to the police report, the officer observed the broken items in the residence and took pictures for evidence. The officer indicated he observed swelling around the victim's eyes and nose. The officer also noted the victim's eyes were very red and bloodshot and he photographed the injuries for evidence.

The officer noted in his report he contacted a judge and was granted probable cause for a protection order. Bail has been set in the amount of \$5,000. Also noted in the report was that the Judge advised the officer to charge Mr. Hawk with malicious mischief.

- 11 **Special Condition # 21:** You shall not enter into or remain in any establishment where alcohol is the primary item of sale.

Supporting Evidence: Mr. Hawk was located at the Hideout Bar and Grill in Wapato, Washington, on March 28, 2014.

According to the Wapato Police Department narrative report, on March 28, 2014, officers responded to the Hideout Bar and Grill located on Wapato Avenue, Wapato, Washington, in reference to a wanted person. The officers located Mr. Hawk inside the bar. The two officers escorted the defendant outside the bar while pending confirmation of the outstanding warrant. According to the police report, dispatch was not able to confirm the outstanding arrest warrant as valid due to unspecified computer error. The defendant was released without further incident.

- 12 **Standard Condition # 11:** The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.

Supporting Evidence: Mr. Hawk failed to report law enforcement contact within 72 hours of being question on March 28, 2014.

Mr. Hawk was contacted by Wapato Police Department on March 28, 2014, but failed to report law enforcement contact to his probation officer.

- 13 **Standard Condition # 6:** The defendant shall notify the probation officer at least 10 days prior to any change in residence or employment.

Supporting Evidence: Mr. Hawk has failed to report a change of address as of April 1, 2014.

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According to Mr. Hawk's girlfriend, the defendant has been moved out of her residence since March 26, 2014. Mr. Hawk has yet to report a change of address as of April 1, 2014.

14 **Special Condition # 18:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Mr. Hawk has failed to attend a drug and alcohol treatment session at the Yakama Nation Alcoholism program on April 1, 2014.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: April 1, 2014

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other
- ☐ Incorporate Other Violations



Signature of Judicial Officer

April 1, 2014

Date